

THE
R E P L Y
O F 3

John Crookshanks, Esq;

To a PAMPHLET

Lately set forth by Admiral KNOWLES,

INTITLED

A REFUTATION of the Charge
“brought against Admiral KNOWLES.”

in which REPLY that Charge is supported; and the
Partiality and Injustice of the Admiral are further proved.

L O N D O N :

Printed for the AUTHOR, and Sold by M. COOPER,
in PATER-NOSTER-ROW.

M.DCC.LIX.

THE

REPLY

OF

John Crookshanks, Esq;

To a Pamphlet

Entitled, &c.



A REPLY to the Charge
brought against Admiral Knowles,

in which it is shown that the Charge is unfounded; and the
conduct of the Admiral is fully proved.

LONDON:

Printed for the Author, and Sold by M. CO. 175, St. Martin's Lane, and by W. BARNARD, 17, Pall Mall.

1841.



THE
R E P L Y
O F

John Crookshanks, Esq;

To a PAMPHLET, Intitled,

A REFUTATION, &c."

SIR,

I Have seen your Pamphlet, which you call,
 "A *Refutation* of the *Charge* brought against
 "Admiral *Knowles*; in a late Pamphlet, in-
 "titled, *The Conduct and Treatment of John*
 "*Crookshanks, Esq;*" You adopt this Piece
 your own; I shall consider it as such, and make my
 reply. "Malice and Defamation" as little belong to
 me, "as the most perfect Virtue under Heaven does to
 a King;" Therefore, while I address you with Truth,
 Sir, to hear it without "Contempt."
 If I had "confided in Time," you would have en-
 deavoured to carry on the Indignity you have thrown
 on me during Life; and I, who have felt the Effects
 of your Malice and Defamation, am surely intitled to
 show it in Justification of my own Honour and Inno-
 cence.

B

You

You plume yourself in a Refutation of my Charge against you. That Charge was published in *December 1758*, and you let it pass in Silence full four Months. In this Case indeed I did suspect your Disposition to Silence, and have Reason to think you would never have replied to the Charge I have brought against you, if you had not been spurred to say something in Justification of yourself by those you call your Friends.

Now let me tell the World the Motives that induced me, to bring this Charge against you, “above ten Years after the Affair, which it relates to, was transacted:” And then, “let the Reader take the true State of the Case,” as far as it concerns you; wherein it will be found that you are greatly defective in your avowed Candour and Integrity.

My Motives, Sir, were, a due Deference for the Board of Admiralty in its collective State; and also a proper Respect to those individual Members to whom I have had the Honour to be known, and freely permitted to speak of my Case;—an Unwillingness to cast any public Mark of Contempt, or Disapprobation, on the judicial Proceedings of Courts-Martial in general, or even my own in particular;—a Care of myself, to avoid the Charge of being hurried and actuated by mere Passion and Resentment;—a scrupulous Adherence to Truth worthy Sir; with the Encouragement of able Men of known Honour, whose Opinion and Advice it has always been, that I ought to obtain, and therefore should continue to seek and hope for, Redress, through the Board of Admiralty. These, Sir, and several other Reasons, unnecessary to trouble the Reader with, delayed the Publication of my Case so long as Ten Years. My Charge is heavy against you, and you ought to have regarded it because you know it can be supported.

Your Pamphlet says, p. 2. “At the Time when Mr Knowles was Governor of *Louisburg*, and Commanded in Chief of his Majesty’s Ships in those Seas, he re-

“ceived

received a Letter by Lieutenant *Hughes* from Captain *Erskine*, complaining of the Conduct of Captain *Crookshanks*, sent in the *Montagu* Ordnance Tender; a Copy of which is annexed No. 1." in your *Appendix*. You also received from me, Sir, the Letter set forth in my Charge, p. 29. dated at Sea the 21st of *July* 1747, wherein I acquainted you, that "as the *Warwick* had sustained considerable Damage in an Engagement, I judged it for the Service to give Captain *Erskine* Orders to make the best of his Way to *Louisburg*; which I hoped you would approve: And that I should, at every Event, make Dispatch to get there, after having complied with my Orders and Instructions; Copies of which I therewith sent you. That as our Attempt to take a large Ship of the Enemy's was attended with ill Success; I judged it must necessarily call for a public Enquiry; and therefore, if, in Consequence of such Orders and Instructions, I should find myself obliged to stay at *Newfoundland*, I hoped the Service would permit you to send me Orders, to join you as soon as possible." This Letter was dated four Days after the Engagement, and was sent by the *Warwick*, with a Duplicate thereof by the *Montagu*: And your Letter in answer to it was dated *Louisburg*, *August* 15, wherein you acknowledged the Receipt of mine, and informed me, that as you had a Complaint against me from Captain *Erskine*, for not assisting him in the Engagement, I was immediately to repair to *Louisburg*, and answer the same at a Court-Martial; which you wished I might be able to do. I am of Opinion, that my Letter to you would have checked any other Commanding Officer in the World from taking such an enormous Stride as you made in this Affair; till after both Parties had been heard Face to Face. You knew that Mr. *Hughes* was merely a Passenger on board the *Warwick*, and arrived at *Louisburg* before he regularly ought to have done. He

brought no Letter or Message from me, the Commanding Officer. You must have seen that Captain *Erskine* had a Design in filching this Lieutenant away unknown to me. If it was not obvious to you, it was to the whole Garrison, and particularly to several Officers of the Regiments commanded by the Generals *Warburton* and *Hopson*; Gentlemen who had long and intimately known Captain *Crookshanks* before their removal from *Gibraltar*. You will hardly pretend to be ignorant, that Mr. *Hughes* industriously carried about, in the public Streets, a Paper indited by Captain *Erskine*, containing such a puffing, bombast, incoherent Account of his Engagement with the *Glorioso*, as did then, and must now, convince every discerning Person of his Intent in clandestinely sending Mr. *Hughes* forward to forestall Opinions, by taking the Advantage of making the first Complaint, and that against his Commanding Officer. It could not have escaped your Penetration, that Captain *Erskine* was acting the Part of a Man who was uneasy and unsatisfied with his own Conduct. It might possibly escape your Ears; but I am well assured, that this same *Hughes*, still to prejudice me more, propagated a Report that I was sneaked to *Newfoundland*, to keep out of the Way, but that he should soon catch me back. Do you think, Sir, if such Proceedings as these are to be admitted or encouraged, that the Honour and Reputation of the most innocent Man upon Earth are safe from Assassination? The Letter sent to you, from Captain *Erskine*, to which you refer, as inserted in your *Appendix*, p. 22. was dated at Sea July 24, wherein, “ he only presumes to say, that “ after the *Lark* began the Action, she quickly passed the “ Enemy, and never more returned; that the *Warwick* “ engaged till she was rendered incapable of retreating “ or pursuing: And that thus a most valuable Prize made “ her Escape by the unparalleled Backwardness of the “ *Lark*

“ *Lark*. That Mr. *Hughes*, if you required it, could give
 “ a MORE CIRCUMSTANTIAL Account. And, that, in
 “ the mean time, he should draw up a regular Complaint
 “ against me.” In your Letter to me of the 15th of
August, you give no Answer to that Part of mine of the
 21st of *July*, relative to my Desire of a Court-Martial;
 therefore it appears you were positively determined to
 try me on the Letter sent by my junior Officer, even
 before you either saw him or me, or received his regular
 Complaint. Such was the Force of your Prepossession,
 which was not removed after you received the following
 Letter.

“ TO CHARLES KNOWLES, Esq; &c.

“ *Louisburg Harbour, 4 September, 1747.*

“ SIR,

“ I Am to acknowledge the Receipt of your Order and
 “ Letter of the 14th and 15th of *August*; the latter
 “ acquainting me of a Complaint you have against me,
 “ from Captain *Erskine*.

“ By my Letter to you of the 21st of *July*, a Copy
 “ of which he saw, he might easily have perceived, I
 “ was very tender in making the first Complaint; not
 “ to be suspected of the least sinister Art, in foreclosing
 “ any Evidence he could give, or any thing he might
 “ have to say, in case the whole, or any Part, of the
 “ Trial was to fall on me, as without doubt it must,
 “ having been the Commanding Officer. I am, therefore,
 “ to desire you will please to inform me, whether I am
 “ to be tried principally on Captain *Erskine*’s Complaint,
 “ or for the ill Success of the Action? Because, if for
 “ the latter, my Defence must greatly consist in charg-
 “ ing him with disobedient and unwarrantable Beha-
 “ viour; which I would have been as backward as pos-
 “ sible

“sible in taking notice of, for the forementioned Reason, till my Trial came on. I repeat, lest it should look like a Measure taken to screen myself from his Imputations, or seeming to RECRIMINATE on any Body, whose Evidence could be wanted, till I had entirely cleared myself.

I am, &c.

JOHN CROOKSHANKS.

I shewed too much Lenity to Captain *Erskine*; and, as you precipitately and wantonly embraced his Side of the Cause, you were resolved to support it with too much Partiality. I intimated to you, that I would not seem to *recriminate* on any Person: You took up the Term at *Jamaica*, and wrote to the Admiralty, that my Complaint against Captain *Erskine* appeared to you to be only *recriminating*. This furnished the Admiralty with a Word, of which you had made an unjust Use; and the Admiralty, deceived by you, returned it to me. Pray what was your Reason for not charging me with *Recrimination*, when I was with you at *Louisburg*?

In p. 34 you say, “The Commodore had already sent for the *Panther*, Captain *Wickham*, from *Newfoundland*, and the *Fowey* and *Aldborough*, from *Boston*, to come and join him; but he wrote for Captain *Wickham* after the Receipt of this Complaint, [*Hughes’s Complaint.*] These Ships, with the *Canterbury*, and *Norwich*, which he had with him at *Louisburg*, would have furnished a sufficient Number of Captains to have composed a Court-Martial for the Trial of Captain *Crookshanks.*” You further say, “That none of these Ships arriving, and the Commodore having received his Majesty’s Instructions to repair to *Boston*; and having also received Orders from the Lords of the Admiralty to proceed to *Jamaica*, and take upon him the

“Com-

“ Command of the Squadron there, on the Death of
 “ Vice-Admiral *Davers*, Mr. *Knowles* had no Opportu-
 “ nity of trying Captain *Crookshanks* at *Louisburg*, as he
 “ intended.”

Excuse me, Sir, if I *refute* some Part of what you
 have so spontaneously set forth, concerning the Intention
 of trying me at *Louisburg*: Therefore I inform you,
 that on the 13th of *August* I arrived at *St. John's Harbour*,
 in *Newfoundland*, and there found his Majesty's Ship
Panther, commanded by Captain *Wickham*. I mean the
 same Gentleman that you wrote to twice, as you say,
 intending he should assist at my Trial: But the Day I
 arrived at *Newfoundland*, Captain *Wickham* came to
 me, and shewed me his Orders from you, which, with
 his Letter to me the same Day, occasioned me to write
 him the following Letter and Order relating to an Expe-
 dition against *St. Julians*, &c. the Execution of which
 was intrusted by the Lords of the Admiralty to me.

St. John's Harbour, Newfoundland, Aug. 13, 1747.

“ SIR,

“ I Have received your Letter of Yesterday's Date, ac-
 “ quainting me of your Orders from Commodore
 “ *Knowles*, of the 30th of *June*, to proceed to *St. Ju-*
 “ *lians*, &c. desiring my Assistance in forwarding the Ex-
 “ pedition, and wishing it may be in my Choice to pro-
 “ ceed with his Majesty's Ship the *Lark*, under my
 “ Command. In answer to which, I acquaint you, that
 “ I have examined my Orders and Instructions from my
 “ Lords Commissioners of the Admiralty, as likewise a
 “ Proposal from Mr. *Kilby*, Agent for *New-England*, to
 “ their Lordships, and communicated to me by Mr. *Se-*
 “ *cretary Corbet*, with their Directions thereon; from all
 “ which I conceive it incumbent on me to accompany
 “ the Expedition, and more especially after your Appli-
 “ cation

“ cation to me : I shall therefore give you Orders to put
 “ yourself under my Command. And I desire you will
 “ furnish me in Writing with an Account of such Steps
 “ as you have already taken upon any Intelligence you
 “ may have got, as also what you judge farther necessary
 “ to be done to forward this Service. I hope to be able
 “ to go to Sea in four or five Days at farthest.

I am, &c.

JOHN CROOKSHANKS.

“ To Captain *Wickham*, Commander of his Majesty's
 Ship the *Panther*.

“ By Captain *John Crookshanks*, Commander of his
 Majesty's Ship the *Lark*.

“ IN consequence of your Letter of Application to me,
 “ and an attested Copy of Commodore *Knowles's* Or-
 “ ders of the 30th of *June 1747*, to you ; you are here-
 “ by required and directed to follow such Orders as you
 “ shall receive from me, for his Majesty's Service, until
 “ further Order ; and you are to hold his Majesty's Ship,
 “ under your Command, in constant Readiness to sail
 “ in Company with me. Given under my Hand, on
 “ board his Majesty's Ship the *Lark*, in *St. John's Har-*
 “ bour, this 13th Day of *August, 1747*.

JOHN CROOKSHANKS.

“ To Captain *Wickham*, Commander of his Majesty's
 “ Ship the *Panther*.

On the 20th a Merchant Ship arrived from *Louis-*
burg, on board of which Captain *Bradstreet*, the
 Lieutenant-Governor of *Newfoundland*, came a Pas-
 senger.

senger. By this Conveyance I received your Order, dated the 14th, on board his Majesty's Ship *Norwich*, and your Letter on the 15th, requiring me to repair to *Louisburg*, to answer for my Conduct at a Court-Martial, upon a Complaint you had received from Captain *Erskine*; on which I gave the following Order to Captain *Wickham*."

"By Captain *John Crookshanks*, Commander of his Majesty's Ship *Lark*."

"WHEREAS I have received Directions from Commodore *Knowles*, requiring me to join him at *Louisburg*; you are hereby required and directed to follow your former Orders from him of the 30th of *June*, to proceed to *Fishot*, &c. with his Majesty's Ship *Panther*, under your Command. Dated on board his Majesty's Ship, *Lark*, in *St. John's Harbour*, 21st *August*, 1747." And subsequently I wrote to Captain *Wickham*, as follows.

Lark, in *St. John's Harbour*, 23d *Aug.* 1757.

"SIR,

"I Have considered your two Letters of the 21st, and have chose out thirty good Men, and the Surgeon's Second Mate, a List of whom is herewith sent you. It is all the Strength I can think of parting with, as we have now forty Men sick, and rather a Probability of the Number increasing. I heartily wish you Success in your Undertaking, and am, &c.

JOHN CROOKSHANKS.

When I arrived at *Louisburg*, you approved of my having furnished Captain *Wickham* with these Men,

C

and

and it furnished you with the Pretence of sending the *Lark* immediately back to *Newfoundland*, and me Prisoner on board her, to wait the Arrival of these Men, when Captain *Wickham* should return there from his Expedition. Here let me remark, that my Person would have been secure at *Louisburg*, if the Service of the Ship was necessary; but, in that Case, I should have had the Advantage of seeing some Friends, who would have informed me of a Multitude of Falshoods that were propagated and encouraged, many of which I should have been in the Way to refute instantly. From all these Circumstances, how does it appear verified, that you wrote twice to Captain *Wickham* to join you at *Louisburg*, in order to sit as a Member of my Court-Martial? And the second Time, as you say, after the Receipt of the Complaint? Did not Captain *Wickham*, after his Return from the Expedition, sail for *Europe*, in consequence of your Order of the 30th of June? I believe he did: But I am sure that, during my first Stay at *St. John's*, he never communicated any Order, Letter, or Intention from you to him, to rejoin you at *Louisburg*, which you know was indispensibly his Duty to do, as I was his Commanding Officer, while we remained there together. The *Lark* returned to, and arrived at, *St. John's* the twenty-first of September, and on the twenty-fourth arrived the *Panther*. I saw Captain *Wickham*, frequently passed Hours with him, but heard not one Word of your Order for him to repair to *Louisburg*. It was now no longer a Duty in Captain *Wickham* to have informed me of his Orders: I was in Suspension; and, if I had not been so, Captain *Pett*, of the *Norwich*, was the senior Officer. But I will undertake to answer for Captain *Wickham*, that if he was then, or ever had been, possessed of such an Order, he would have found some Occasion of telling me so.

for there could be no Motive, or Reason, to keep it a Secret from me.

The *Lark's* Journal informs me, that the twenty-five lent Men were returned; and that the same Day your Baggage, and the Soldiers with their Provisions received from *Louisburg*, were sent on board the *Panther*, for *Europe*. These Soldiers were Invalids, recommended to *Chelsea*; and surely you could not think of sending for Captain *Wickham* to *Louisburg*, when you had actually ordered him to *England*? From all this I hope you will find out, as it is excessively clear to me, and I flatter myself it will appear so to the World, that you never harboured the least Intention of calling upon Captain *Wickham* to be present as a Member of any Court-Martial that could sit on my Trial.

Whether you had sent for the *Aldborough* and *Fowey* from *Boston*, that their Captains might assist at my Court-Martial, you can best tell: But you may prove, to Satisfaction, if you will shew your Copy-Book, and your Orders to those Captains entered in regular Course of Dates. They joined you at *Boston*. Pray had you any Opportunity, after you received Captain *Erskine's* Complaint, to countermand your first Orders to the Captains of the *Aldborough* and *Fowey*? You certainly could have kept Captain *Hore*, because you kept the *Canterbury*. I presume you might have kept the *Norwich*, Captain *Pett*, a sufficient Time, because you sent him to *Newfoundland*, only to execute the common ordinary Duties of a Man of War at that Place, viz. "to convoy the Trade to *Lisbon*;" and the Men of War appointed for that Service, you know, scarcely ever sail from *St. John's*, before the last Day of *September*, the Fish-Ships for that Port, in general, not being ready before that Time, or the Beginning of *October*. Captain *Rouse* was with you at *Louis-*

burg; and his Ship, I heard, had been lately condemned as unserviceable; but if you had given him a Commission, and ordered a Pendant to be hoisted on a Plank of that Ship, it would have legally authorised him to sit as a Member of the Court-Martial. If any one of the Ships you pretend to have sent for had arrived, you then might have assembled a Court-Martial, because your first Lieutenant might have sat by Virtue of an Order from you. This would have happened, if you had been half as eager to bring on my Trial, as you were industrious to avoid it. And assuredly you joined the *Fowey* and *Aldborough* at *Boston*, in Consequence of your Orders to their Captains, to join you there. Pray, recollect, Sir, that you had sent away the *Norwich*, Captain *Pett*, before my Arrival at *Louisburg*; though you had all the Reason in the World to expect seeing me every Hour. I am positive therefore, that it never was your *Intention* to have Captain *Pett* to assist as a Member of any Court-Martial that you would appoint for my Trial. Your Orders sent Captain *Pett* to *St. John's*, and from thence to *Lisbon* and *England*. You took that Opportunity of letting go the first Lieutenant and Boatswain of the *Warwick*, without waiting to know if I might want to call upon their Evidence.

I arrived at *Louisburg* the 4th of *September*; the 11th arrived the *Canterbury*, and you immediately gave Captain *Hore* Leave to quit; therefore you did not intend him as a Member of my Court-Martial.—On the 14th of *September* you hoisted your Broad Pendant on board the *Canterbury*, and gave Mr. *Erskine* a Commission to be Captain under you, tho' I had then arraigned his Conduct, both by Letter to you and in Conversation with you, in the Presence of Captain *Erskine* in your own Bed-chamber at *Louisburg*. You suspended me, why did you not suspend him also? No,

preferred him, and shewed him every Mark of Civility you could study or invent, to serve the Cause in which you had rashly embarked yourself. This, Sir, is such a notorious and manifest Act of Partiality, that I defy the Fertility, even of your Invention, to find me a Precedent, or Excuse for it; and I shall venture to rest, on the Decision of your own "Friends, who know your Innocence and Impartiality," and who, as you say, "advised you to refute my Charge against you." Partiality, Sir, is the Foundation of Injustice: You had the Insolence to tell me, in your Bed-chamber, before Captain *Erskine*, that, *if you had commanded the Lark and Warwick, you would have been d — d if you had not taken the Glorioso*. I made you a respectful Answer at that Time, but I presume to tell you now, that well as I am versed in your History and Atchievements, I know no one Act of your Prowess that convinces me, you would have taken half the Pains I did to seek Danger. Candid Reasoners and brave Men will, in this Instance, forgive me begging the Question: If I had not felt a Determination to fight the *Glorioso*, with the Assistance of the *Warwick*, what could induce me, the Commanding Officer of a considerable Convoy, to chase the *Glorioso* 23 Hours out of 40, diametrically opposite to the Course of my Voyage: I might have passed on very safe the first Night, free from Harm or Censure. But, not to loose Sight of your Partiality, recollect, that you, his Excellency the Governor of *Louisburg*, and Commander in Chief of his Majesty's Ships in those Seas, came down Stairs from your Bed-chamber, followed by Captain *Erskine* and myself, and went out of the Door of your House, where you had again the Insolence and Ill-nature, to take Captain *Erskine* under the Arm, and in that very friendly Attitude paraded him

him backwards and forwards before a Multitude of Officers; while I was stopt a few Minutes, to speak to some Gentlemen of my particular Acquaintance. I will spare you the farther Inference I could draw from this Behaviour, which was so very unbecoming the Dignity of the Station with which you were then honoured.

You say, [p. 3.] "Your Intention of trying me at *Louisburg* is verified by your Letter to the Admiralty, in the *Appendix*, No. 5. in which you transmitted a Copy of Captain *Erskine's* Complaint against Captain *Crookshanks*, No. 6." How far the Commodore gave his Opinion of this Transaction, will appear likewise from that Letter; and if he really had wrote to the Duke of *Bedford* and Lord *Anson*, to prepossess them against Captain *Crookshanks*, as he advances, there has been Time enough in ten Years for the Captain to have obtained the Proof of such a Fact."

You say in the Close of the Letter, No. 5. referred to, "The *Lark* is not yet arrived, when she does, their Lordships may depend upon the Matter's being strictly examined into."

Do you flatter yourself, good Sir, that your Intentions will appear verified, by what you are pleased to say; or do you think, Sir, that Assertion will, by the discerning Part of Mankind, be looked upon as any Degree of Proof. I flatly deny your having the least Intention to try me at *Louisburg*, and I hope I have proved it to Demonstration.

Since you was hurried, by your accustomed Impetuosity, to transmit to the Admiralty a Copy of Captain *Erskine's* Complaint against me, without waiting to hear what I had to say in my own Justification, why would you not at least send also my Letter to you,

dated

dated at Sea the 21st of July? You received a Duplicate by the Master of the *Montagu* Packet, in which Vessel Mr. *Hughes* smuggled himself away; and the Original, you received by the *Warwick*. I do not expect your Answer to this Question, but I will answer for you, and explain the Cause of the Neglect: It was want of Candour. You would be thought to have given no Opinion in this Transaction; but from your Letter, No. 5, p. 25. consider your own Words. "Their Lordships will see by the inclosed Complaint of Captain *Erskine*, that, if he had been assisted by Captain *Crookshanks* of the *Lark*, they must have taken the Enemy's Ship."

This is a bold Assertion of yours, Sir, a little Dictatorial to their Lordships, and very unfair to me, as it was manifestly prejudging me. If you really did believe all that Captain *Erskine* set forth and said, it was nevertheless unbecoming you, the Commander in Chief, to discover your Opinion to any Person, which you most industriously did, to all the World, by many peculiar Acts, and Words too.

Did I, or could I dream, that you wrote your Opinion to the Duke of *Bedford* and Lord *Anson*? No, Sir, you told me you had done so, in your Bed-chamber, in the Presence of Captain *Erskine*; and that you had dispatched your Packets, under the Care of Captain or Major *Mercer*, who left you and went Passenger on board some Merchant Ship, before you saw me or Captain *Erskine*. In this Instance I was readily drawn in to believe you, because I knew it was an Infirmary to which you are very much addicted; and thus I obtained "the Proof of such a Fact, ten Years ago," from your own Mouth. Whether this Fact be true, or false, as to your writing your Opinion to the Duke of *Bedford* and Lord *Anson*, I agree, with you,

you, that those Letters, unless you shewed Copies, could not have any Effect on the Members of the Court-Martial that tried me at *Jamaica*; but a real or a pretended Prejudice in Mr. *Knowles* did make Impressions upon some of the Members of that Court-Martial; for which, I have Reason to believe, they are sorry; and I know, you ought to be ashamed. We arrived at *Port-Royal* on the 28th of *January*, where Captain *Mitchel*'s Trial was just finished as you came to an Anchor. The Captains of course hastened to wait on you, when you took the Opportunity of saying, you heard they had passed a very severe Sentence on poor *Mitchel*: Answer was made you, Yes; and that his Behaviour had appeared very black. You replied, They might expect to hear a Tale, of a much blacker Behaviour, in a Day or two.

This, Sir, will shew how uniform your Conduct has been with regard to me; and let the World judge of the Inferences, that naturally followed from the Words you then spoke.

In p. 4. of your Pamphlet, you say, “ In the De-
 “ tail of his Treatment, so circumstantial and minute
 “ in other Particulars, Mr. *Crookshanks* has omitted
 “ (and very prudently) the Orders of the Admiralty for
 “ his being tried; which the Reader will find in Ap-
 “ pendix, No. 7. This Order would have shook the
 “ Credit of his Assertion; since from thence it will
 “ appear, that not Mr. *Knowles*, but Lieutenant
 “ *Matthew Moore* was the Accuser; and the Date of
 “ the Order being the 15th of *September*, and the Com-
 “ modore's Letter to the Admiralty but the 31st of
 “ *August*, it was impossible for that to have reached
 “ them. The Words indeed of the Order confirm
 “ the contrary: But the same Conveyance by which
 “ Captain *Crookshanks* sent his Letter to Mr. *Legg*

men

“ mentioned in p. 29. of his *Narrative*, might carry
 “ Mr. *Moore*’s Complaint against him to the Admir-
 “ ralty ; and most probably did.”

When you wrote this Paragraph, you certainly did not possess yourself so coolly, as a Man should do, that could not but be conscious to himself, of the Solidity of the Charge that was brought against him, or you would not have had Recourse to an Artifice that was so easy to be detected, nor would you have brought forth such a Heap of Improbabilities and Inconsistencies ; however, you shall see, I will have the Charity to set you right : But do not blame me, if in this Attempt, you should unluckily appear more and more in the wrong. How could I insert in my *Narrative*, an Order from the Admiralty, which I never saw, till the Publication of your Pamphlet ? Can any Mortal be induced to believe, that the Admiralty sent their Order, for trying me, to myself : It was sent to you. Did you, or any body for you, ever furnish me with a Copy of that Order ? No. I affirm I was not tryed by that Order ; I was tryed by your Order, and upon Captain *Erskine*’s Complaint to you. I had heard that Mr. *Moore* had wrote a Letter, but I knew not the Contents, nor was it publicly read in Court. You secreted that Letter, and I will tell you why. You positively received the Order from the Admiralty, quoted in your *Appendix*, and Mr. *Moore*’s Letter, at *Barbadoes*. I had this Piece of Intelligence from Mr. *Hughes* ; and you was conscious, that if Mr. *Moore*, after writing such a Letter, came to be cross-examined by me, he might make a bad Figure, and discover such Circumstances, as would hurt the Cause you had rashly and inconsiderately made your own : Therefore, off *Antigua* or at *St. Christo-pher*’s, you proposed to Captain *Drake* to quit his Sloop, and go Volunteer with you ; and you appointed

D

Matthew

Matthew Moore in his Room. If *Mr. Moore* had appeared at my Trial, I should not have considered him as my Accuser, but as any other Witness. I have not, any how or any where, asserted, that you were my Accuser, my *Narrative* furnishes no such Expression: I always considered Captain *Erskine* as my Accuser; which he certainly was. If you did then, as you pretend now, consider *Mr. Moore* as my Accuser, you was guilty of manifest Disobedience, to the Orders and Intentions of the Lords of the Admiralty. Their Order after the Preamble says, “ *And whereas* we think “ proper, that the Affair should be strictly examined “ into, we send you herewith *Mr. Moore’s* Letter, “ afore-mentioned, and require and direct you, to “ cause the Affair to be strictly enquired into at a “ Court-Martial, OR, in such other Manner, as you “ shall find requisite, and to transmit to us a PARTI- “ CULAR and IMPARTIAL Account, how you find “ the same to be.” — This Order was signed by two Sea Officers; the OR, and subsequent Words, imply Doubt; no bad Lesson for you to study, Sir. If I am truly informed, one of those Sea Officers recommended *Mr. Moore* to you for Preferment, and probably had seen and talked to him; if so, he must have seen that *Mr. Moore* had the Appearance of a raw unexperienced young Man. Hence might spring that Doubt at the Admiralty Board, where implicit Faith had not been given on this Occasion. But I, who am tolerably patient in doubting, have now a decided Opinion: For, upon my Return to *England*, and going into *Will’s* Coffee-House, *Scotland-Yard*, the first Personage I cast my Eyes on, was *Mr. Moore*. I accosted him rather abruptly, on which he changed Colour and shewed Confusion: I told him I had heard he wrote a Letter to Lord *Vere*, tending to do me great Prejudice with

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his Lordship. He excused himself, saying, he had only wrote the Opinion of Captain *Erskine*, who had presented himself in the Ward-room of the *Warwick*, and there publickly, in the Presence of his Officers, Mates, &c. in short of as many of the Rabble as pleased to attend, dictated to the Clerk a Narrative of his Engagement with the *Glorioso*, and the Transactions of the *Lark*; out of which, Mr. *Moore* confessed, that he, after the Example of many others, caught some disjointed Passages, and from them composed Letters to their Friends, being advised thereto by Captain *Erskine*. But Mr. *Moore* also owned to me, that, of his own Knowledge, he could not have undertaken to describe anything relative to the *Lark*; because, from the Time of the *Warwick's* first approaching the Enemy, until after the Engagement, he never was above the Gun Deck.

You say, p. 5. "That in your Way to *Barbadoes*, you dispatched a Letter when you was off *Antigua*, to the Commanding Officer there, by the *Aldborough*, to call in all the Post-Captains for the Trial of Captain *Crookshanks*." It appears, by your Appendix, No. 9. p. 28. that you wrote such a Letter Sea, and ordered the Post-Captains, who were to compose the Court-Martial, to remain in *English Harbour* till your Arrival. But you know yourself, Sir, you never was off *Antigua* till after you had joined Mr. *Pocock* and parted Company with him. It also appears by your Appendix, No. 10. p. 29. That on the 3d of January 1747-8, when you was off *Martinique*, you wrote to Mr. *Pocock*, then commanding a Squadron to Leeward of that Island, informing him of your Letter on Account of my Trial: "Since which, say you, I have understood the Service you are upon, which as I would not interrupt, I am coming down to join you." Therefore you sent

to stop him, lest he should be upon returning into Port. You say, p. 6. "The two Squadrons did not meet till the 6th of *January*; and it was impossible Mr. *Knowles* could till now have brought Captain *Crookshanks* to his Trial, had his Attention to this Affair been awaken'd never so much: And now it appears that he was inclin'd to do it."

Your boasted Vigilance, about *Martinique*, your Consultation with Mr. *Pocock* about attacking two Men of War and some *India* Ships, sheltered under the Cannon of the Forts there, as well as about an Attempt upon the Island of *Granada*, is all a Fanfaronade, for you own that these Designs were laid aside as too hazardous; yet, you thereby prove for me, and against yourself, that, you were not prest to separate from Mr. *Pocock's* Squadron.

Mr. *Pocock* told me, in your Presence, that the Object of his Cruise was to block up the Ships then at *Martinique*, and to intercept anything passing to or from thence. If you had been the least inclined to hasten my Trial, even at this Time, when you had joined Mr. *Pocock*, you would not have dropt and sometimes failed to Leeward; for by plying to windward you might have kept close under the Land, and near off *Fort-Royal* Bay; by which Means Mr. *Pocock's* Object could have been more fully answered than in any other Station he could possibly be. If that had been the Case, you might then have brought on my Trial; for the Boats might have conveniently passed to carry the witnesses backward and forward; though you say the contrary.

I acknowledge that I received Notice of Trial on the 7th of *January*, and in the Manner you mention; but you have omitted to acknowledge the repeated Applications I made for that Purpose, the Impediments

that were thrown in my Way, and the Ill-usage I met with from the pro-tempore Commander of the *Lark*, all which should be laid to your Charge, for the Reasons mentioned in my Narrative, p. 50. It was in your Power, and it was your Duty, to remove all my just Complaints, therefore I am justified in charging you with not relieving me. But you say, p. 6. "The Truth of the Matter is, the Commodore having signified his Intention to Mr. *Pocock*, to order a Court-Martial for the Trial of Captain *Crookshanks*, he directed Lieutenant *Hughes*, who commanded the *Lark*, to acquaint him with it; never ordering or suspecting, as they were both together on Board one Ship, that Lieutenant *Hughes* would write a Letter to him about it; and judging such a Message sent by a Lieutenant, and pro-tempore Captain of the Ship, to be no Indignity to Captain *Crookshanks*." It would not, if Mr. *Hughes* had ever treated me with common good Breeding, but he sent me this Notice by the Hand of a Coxswain; and I repeat it again, that the whole Series of his Ill-Behaviour to me, pointed out your Partiality, and of which, I was convinced, he was the mean Instrument, and for which, you afterwards rewarded him with the Command of my Ship. I do insist, Sir, that you could then have brought on my Trial sooner; the long Delay of which, you well knew, was extremely disagreeable and injurious to me, tho' my Trial "was only a secondary Consideration with you." You assert, "that when the Captains *Frankland*, *Broderick*, *Taylor*, *Cornwall*, *Swanton*, *Palliser*, *Piggot*, and *Innes*, were assembled on board Mr. *Pocock*, they represented the Inconveniencies that would attend the holding the Court-Martial at Sea, in moving the Evidences backwards and forwards from Ship to Ship, and other

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“Obstructions to his Majesty’s Service.” — I know that the Trial of a Man of some Rank, and Character in the Navy, must have been a disagreeable Service to these Gentlemen, abstracted from other Considerations: “But pray, Sir, did they all join to make this Remonstrance? Or was it one of the Captains of your Squadron bound with you to *Jamaica*, that supplied you with this Subterfuge. If it was made by Mr. *Pocock*’s Captains, they certainly wished rather to cruise, than attend an unpleasant Service; but you had the Power to command that Service from them, which you ought to have done, and I have shewn might have done. I had been four Months a Prisoner, and it was visible to Mr. *Pocock*, and some other Gentlemen of the Squadron, that the Delay of my Trial gave me a strong Shock. You joined Mr. *Pocock* on the 6th of *January*, and you did not part Company till the 11th, why have you not shewn your Reasons for driving to Leeward, which caused your pretended Necessity of the two Squadrons separating? Did not you assure me at *Louisburg*, that I should be tried in the *Leeward Islands*? When we were at *St. Christopher’s*, was it not reported, that the Trial was postponed upon my Application to you? and did not I write to you, that you knew the real Fact to be quite the reverse? Did you give me any Answer, tho’, as I formerly said, and now repeat, common Civility, or the least Regard to Truth, might have induced you to furnish me with the Means of confuting and silencing such a vile, false, and scandalous Aspersions? No, Sir, you were silent, and you had your own Reasons for it, tho’ at last you have given the World an Answer in your *Appendix*, p. 30, where you tell Mr. *Secretary Cleveland*, that “you suspended your Resolution of trying me, and had deferred it, till your Arrival at *Jamaica*.” This Advice was

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wrote on the 18th of *January*; but my Application to you, to disprove that false Report, was made the 14th; and you might as well have confessed the Truth, to the Persons interested in *America*, as have owned it for your own Act in *England*.

Your loitering under a slack Sail when with Mr. *Pocock's* Squadron, going to *Montserrat*, immediately after Separation, lying off *Antigua*, anchoring and watering at *St. Christopher's*, going to *St. Eustatia*; all these, I say, are Proofs that you was not pressed, or did not press to get to *Jamaica*, where you was determined to carry me to be tried, rather than in the *Leeward Islands*. Let me remind you, that Captain *Broderick* in the *Dreadnought* joined you and Mr. *Pocock* on *Thursday*, the 7th of *January*, soon after Mr. *Hughes* had sent me Notice, that the *Monday* following was the Day appointed for the Trial: I am informed, that Captain *Broderick*, after waiting on you, was immediately met by Captain *Erskine* on the Quarter Deck of the *Canterbury*, who asked him in a very public Manner, if he had seen his (*Erskine's*) Charge, against me. He answered no. Then here it is, said Mr. *Erskine*, pray read it." He did, and told Mr. *Erskine* it was a home Charge, if it could be proved. Mr. *Erskine* replied, "I don't want but three Witnesses to prove the whole, and I have already got two of their Depositions." This language of his to Mr. *Broderick*, was highly disingenuous, and indeed impertinent (to call it no worse) he then imagined Mr. *Broderick* would sit as one of the Members of the Court-Martial on my Trial. You heard of this Conversation and from that Instant resolved to seek every Expedient to prevent my Trial coming on before him. Mr. *Broderick's* Answer was such as might be expected from a generous Mind, determined in all such Cases, to use his own Judgment, and to see through his own Eyes.

You

You say, p. 7, that I complain of the Remissness which had happened in taking Depositions. But in p. 8, you assert, " If Captain *Crookshanks* had understood the Nature and Usage of a Court-Martial, or " if he had not intended to *delude* the Reader, we " should have heard nothing of this Complaint. He " would have known, that the *Affidavits*, which might " have been taken at *Louisburg* or *Boston*, would have " been useless, if the Court-Martial was not assembled " at those Places ; and that no Depositions can be legally read in Court, without the Parties are personally " present to swear to it : For it is *viva voce* Evidence " alone which can acquit or condemn the accused Person. Besides, if Mr. *Pocock* had held the Court-Martial with the Captains of his Squadron, they " might not have appointed Mr. *Kirk* for Judge-Advocate ; and then none of the Depositions taken by " him would have been valid. But all this Captain " *Crookshanks* did not know, or was not willing that his " Readers should ; as it totally renders groundless the " Complaints which are spread through several Pages " against Mr. *Knowles*."

Sir, Delusion is *your* Province, you have laboured hard to cover Truth with Artifice, by bringing Possibilities against Facts. I understand, and well know the Nature and Usage of Courts-Martial, and I flatter myself the most discerning Readers will not discover the least Intent in me to delude. Change your Word *Affidavit* for the proper Term *Deposition* : What then can it mean, but a Deposite of such Evidence as the Deponent proposes to give at the Trial ? If the Person who takes the Deposition is legally authorized, what imports it whether his Name be *John* or *Thomas* ; if the Deponent, after being sworn in Court, acknowledges the Deposition, and gives clear Answers, *viva voce*, to all such farther Questions as the Court pro-

poses, or as the Prisoner shall ask in his cross Examination? If the Proposal had been made to me, to proceed without taking any Deposition, I should assuredly have consented: Because my earliest Experience of Courts-Martial made me dislike that Mode; for which Opinion I have such Reasons as would puzzle you to answer. The first Time you sent for me before Mr. Pocock and the Captains of his Squadron, you talked of the Judge-Advocate's taking Depositions. What Judge-Advocate could you mean? Could it be any other than Mr. Kirke? Did Mr. Pocock ever propose to you, or did you ever propose to him, any other Judge-Advocate? It is idle to think Mr. Kirke would not officiate; and, from all the previous Steps you had taken with relation to this Affair, it is absurd to believe that you would not put him into that Office. I grant, Sir, that "no Depositions should be read in Court, without the Parties are personally present to swear to them." But pray, why did your Judge-Advocate read Captain Erskine's Deposition, and two Letters, which could be of no Validity? This Partiality is shewn in my *Narrative*, p. 61. A Partiality that he doubtless *durst* not have shewn, had it not been in Consequence of private Directions from you.

The Time and Attention which you pretend to have dedicated to his Majesty's Service, was really of no Service at all; as from the Time you joined Mr. Pocock, which was the 6th of *January*, you kept dropping to Leeward all the while your Squadron was in Company. On the 14th at Noon, the Body of the Island *Montserrat*, bore by N. seven Leagues. At three you made the Signal for all Captains to assemble on board Mr. Pocock's ship; and you sent for, and acquainted me, that I should not be tried then, but must wait your Arrival at *Jamaica*. The 12th you anchored at *Montserrat*. The

14th in *Old-Road, St. Christopher's*, and remained there till the 20th; after which you went to *Eustatia* to trifle away more Time. Why did not you carry Mr. *Pocock* to *Montserrat*? My Business might have been finished at that Time. But you say, "my Trial was only a *secondary Service* with you." I grant it was. And yet you say, "When the Commodore had distributed to Mr. *Pocock* and his Squadron what Stores he could spare, he left them, in order to proceed to *Jamaica*. In his Way he stopped at *St. Christopher's* to water, and at *St. Eustatia* to gain Intelligence.—Nevertheless, had he found Mr. *Pocock's* Squadron in Port at *Barbadoes*, or had he known his Design of going to anchor at *Montserrat* immediately upon their Separation, he is full as ready to own likewise, that he could have had no Excuse for not bringing Captain *Crookshanks* sooner to a Trial." Here, Sir, you surely have condemned yourself. You could go from *Barbadoes* to *Montserrat*, and then was willing to return to Windward, as far as *Granada*, which was the Object of your Ambition at this Time; though as insignificant to the Service as the taking of *Barbuda* would have been to the *French*.

You could not think that I should have met with any particular Favour or Partiality from the Captains of Mr. *Pocock's* Squadron. I never had any Connection with any of them; scarcely knew them; and you are without Excuse for not trying me there. You arrived at *Port-Royal* in *Jamaica* on the 28th of *January*; and you say, p. 9, "that on the second Day after your Arrival rival you gave Orders to Captain *Dent* for assembling a Court-Martial on Captain *Crookshanks*—and soon it could not be done." I allow it could not be done sooner at *Jamaica*: but this I do still insist might have been done at *Louisburg*, or the *Leeward Islands*.

Again you say, "The holding the Court-Martial on board the *Cornwall*, and not on board the *Canterbury*, is made another Subject of Complaint against Mr. Knowles by Captain *Crookshanks*, who was thereby deprived, he says, of the Right of confronting his Adversary." You call this "a slender Circumstance;" and in order to prove it so, introduce the proverbial Application of "drowning Men catching at Straws:" Drowning, in the Sense you mean it, neither applies to me or my Character, Sir, I hope, in the World; and as I am under no Necessity of living, I think I am in no great Danger of drowning;—you best know, Sir, how far this Application comes home to you.—"To refute this Accusation, however, among the rest—futile as it is," say you, The Reader must be told, that if the Admiral had been so complaisant as to quit his Ship, and give up his Cabin to hold the Court in, it would have been a Weakness for which he would have been justly blameable: For as the *Canterbury* was only a sixty Gun Ship, her Cabin was too small for the Purpose, and must have been very inconvenient, by crowding the Members; whereas the *Cornwall* was a Ship of eighty Guns, and had a spacious Cabin."

I say, Sir, that when there is Occasion to hold Courts-Martial on board such Ships as the *Canterbury*, whose Cabins are on the Quarter-Deck, the Court usually sits in the Ward-Room; and Mr. *Hughes* assured me, when he gave me Information that Captain *Skirine* had dislocated his Arm, that you had given orders, and that a proper Disposition would be made. There would have been much more Space in the *Canterbury*'s Ward-Room, with the Bulk-heads taken down, than in the *Cornwall*'s Steerage, where the Court did sit. You would not have been incommoded,

and had no Occasion to quit your Ship on that Account.

“ Besides, say you, [p. 10.] as Captain *Erskine* “ was confined to his Bed from a broken Arm the “ Day before, it was impossible for him to appear at “ the Court-Martial, whether it was held on board “ one Ship or another: However, the Choice of the “ Ship was in the Breast of the President.”

Now give me Leave to observe, Sir, that Captain *Erskine* was *not* confined to his Bed from a broken Arm: Mr. *Hughes* told me it was only dislocated. He farther informed me, that the Dislocation was very slight, and was occasioned by Captain *Erskine's* attempting to strike some Person with his Hand: But that he had no Symptom of a Fever, and would certainly attend the Trial, which he told me would on account of that Accident, be held on board the *Canterbury*. This proved to be otherwise; though Captain *Erskine* walked about: But tho' this Accident *had* confined him to his Bed, he yet might nevertheless have been examined at the Trial, if it had been held on board the *Canterbury*; for his Bed was in the Cabin of the Ward-room, and the Door of that Cabin was no more than two Yards from where the President's Chair would have been placed: Therefore, it was *not impossible* for him to appear at the Court-Martial; which by his not doing, I was deprived of the Right of confronting my Adversary, as explained in my *Narrative*, p. 58. And I do flatly contradict what you say, about the Choice of the Ship being in the Breast of the President. You know quite otherwise: Not that I offer this by way of Information to set you right, but to prevent your setting others wrong who are unacquainted with naval Affairs.

In p. 11. you have set forth a List of the Members who composed the Court-Martial, and say, "Five Members are sufficient to constitute a Court." You know, that four Captains, with the commanding Officer's first Lieutenant, are sufficient to compose a Court-Martial. Your State of the Squadron is not material: But you are sensible, that the Signal for Courts-Martial, and to convene all Captains, is the same. All come to the Signal; and it is most usual for all Captains in the Harbour to attend Courts-Martial, when the Fleet is not very numerous: But in that Case the Commanding Officer gives Orders to the eldest Captains, whose Ships are not under instant sailing Orders. After giving the List of the Members, you say, "It is insinuated as an *infamous Piece of Craft and Partiality in you*, that some of the Captains were "sent out of the Way." And you further add, That two "of those Captains, of whose Absence Captain *Crook-shanks* complains, were at *that Time* warm Friends to "the Admiral." Captain *Powlet* attended the Trial the first Day; but Captain *Innes* never appeared; and these may possibly be the warm Friends you hint at. These Gentlemen I did not know, nor had I ever spoke to either of them, at that Time, in my Life, or to Captain *Wray*; but this I know, that from their general Characters, I shall always regret their not attending the Trial. I will not undertake to judge of the Service on which you sent Captain *Powlet* or Captain *Wray*: but no Excuse can be found for the Non-attendance of Captain *Innes*. As to your Friend Captain *Taylor*, he pronounced Judgment aloud against me at *Spanish-Town*, to Mr. *Archdeacon* and his Nephew, before the Trial came on: And the Captain whose Ship was at *Rattan*, was a Member of the Court-Martial; I mean Captain *Edward Clark*.

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After having, in p. 11, with great Self-complacency, displayed your perfect Knowledge of your Duty, and your Zeal for the Good of your Country, you go on and say, p. 12. that, "my Trial would still have been only a secondary Consideration with you, even for ninety-three Days longer; as the Captain enjoyed the Air, and the Liberty of the Shore, when he desired it, and had never been a Moment under Confinement."

What do you think, Sir, of a Delay of ninety-three Days, in such a Climate as *Jamaica*? And would not any Person of common Humanity, rather have accelerated than affectedly procrastinated a Gentleman's Trial under such Circumstances? I affirm that there was no immediate Service that required such Procrastination; for if there had, I should have been ashamed to complain. But I have scarcely ever heard of such Confinement as you would insinuate you did not inflict.

It is not required of you either to vindicate, or condemn the Proceedings of the Court-Martial: but you certainly influenced the Court, by your free and public Speeches and Declarations in prejudice of me, before the Court was held. This was an Act of Injustice as well as Partiality; of which you stand self-condemned by your own Words; for, in p. 18, you take Notice of the malicious Reports spread at *Newfoundland* and *Boston*, of which I loudly complained. Yes, I do, of your Reports. You say, "It is true, that at *Louisburg* you was informed of many Disputes and Animosities between the Officers and Crews of the *Lark* and *Warwick*, relating to the Engagement with the *Glorioso*, and that Quarrels would certainly ensue, if you did not put a Stop to them. Upon this, you say, you went on board both Ships, and turning up all Hands, told them, that you was satisfy'd Seamen never

“ never behave ill, when they were properly led on ;
 “ and that tho’ Captain *Crookshanks* was accused, yet till
 “ he was tried, and the Matter determined by a Court-
 “ Martial, if any Officer or private Man threw Reflecti-
 “ ons, or entered into Quarrels about it, you would se-
 “ verely punish them.”

When you came, and while you continued on board the *Lark*, you was not out of my Sight or Hearing ; and therefore will you venture to tell me, that you made this Speech on board the *Lark* ? You know yourself you did not.—But admitting that any Part of this were true, will any Man of common Sense believe, that you really meant to shew the personal Regard, that, in p. 19, you declare you had for Captain *Crookshanks*, by telling the *Lark*’s Crew, that you was satisfied Seamen never behave ill when they were properly led on ; and can any thing be plainer than the Malignity of the Inuendo contained in this Observation ?

And here I must observe, that tho’ you want to shuffle off from yourself the Iniquity of the Judge-Advocate’s Behaviour ; yet I must and do affirm, Sir, that he was your Instrument, and by being your Secretary, was immediately under your Power ; otherwise he would not have dared to act as he did in taking the Depositions, and during the Course of the Trial : and, I am truly sorry to say, that even some of the Members of the Court-Martial inadvertently and innocently became too subservient to your Views, after you had influenced them by declaring your Opinion to my Prejudice.

I have given a plain and fair Relation of all the Facts ; and have kept nothing back from the Publick, but what will appear still more and more to your Disadvantage when produced. P. 13. you own, you might express

express your Desire to Mr. *Dent*, as the *Narrative* sets forth [p. 85.] that I would shorten my Evidence. This was an unreasonable Request; and yet, I was so conscious of my own Innocence, that I readily complied with it; though you acknowledge, “that it is impossible to suppose, that any President of a Court of Justice would be directed by an Admiral, or even by his Sovereign, to suppress Evidence, upon a Fact which had not been already established, and which was absolutely necessary to his doing that Justice which his Oath required of him.”

Sir, you are a Casuist in some Things, but not in Matters of Law, though you venture to compare the Custom of the Courts at *Westminster* with the Proceedings at Courts-Martial. When Evidence, Sir, is complicated, two or three Witnesses may speak to one Fact, which may be contradicted by other Evidence: In that Case every Witness should be examined, as the Proof of the Fact would depend upon the Weight and Credibility of the Evidence produced on either Side.

You farther say, [p. 14.] that “amongst the Letters and Orders which you received from the Board of Admiralty, when you arrived at *Jamaica*, was that Order for trying me. But as Lieutenant *Moore*, the Gentleman mentioned in the Order, and who must have been the principal Prosecutor for the Crown, had been left on the *Antigua* Station, and could not be produced to support his Accusation, therefore the Court-Martial proceeded, by an Order issued from Admiral *Knowles*.” You received the Admiralty Order and Mr. *Moore*’s Letter at *Barbadoes*; you know you did; and I have shewn, why Mr. *Moore* was left at *Antigua*; as also, why he could not be my Accuser, if he had not. In what Light were Captain

Erskine

Erskine and his Officers to appear? Can it be thought that they would be silent, and trust the Decision of such an Affair to a Passenger? Captain *Erskine* was my Accuser, and must be considered as such, by yourself, from the time you received his Letter of the 24th of *July*; for he there tells you, "That he shall draw up a regular Complaint against me, to be presented to you on his Arrival at *Louisburg*." He arrived there the 18th of *August*, but on the 15th you wrote me, you had received a Complaint against me, from Captain *Erskine*; from whence it appears, that you had formed your Resolution and Plan of trying me, on the Representations of Mr. *Hughes*, who arrived at *Louisburg* nine Days before Captain *Erskine*. In Obedience to your Order of the 15th of *August*, I arrived at *Louisburg* the 4th of *September*; the Complaint of Captain *Erskine* in your *Appendix*, No. 6. has no Date; and tho' the Judge-Advocate's Letter to me, inclosing a Copy of that Complaint, is dated the 4th, yet they were not delivered to me till the 9th of *September*. Your Order from the Admiralty implies no such Thing as that Mr. *Moore* was to be the Prosecutor; but this Letter was sent to you with that Order, to enable and direct you, strictly to enquire into the Affair, and send their Lordships a particular and an impartial Account.

What you say about the "Complaints, which I made against the Judge-Advocate's refusing, by your Orders, to give me Copies of all the Affidavits that were taken previous to my Trial," is very *falacious*. The Act of Parliament which forbids the taking of preparatory Depositions, was not then in force: But this Complaint was not made thro' Ignorance: It was only to shew the Irregularity of the Proceedings of Mr. *Kirke* and you in Conjunction; and as congenial Souls

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are Unisons, you must pardon me, if I cannot separate the Ideas of both. Mr. *Kirke* had promised to send me Copies of the several Depositions when collected, to which I had as much Right as my Accuser, who saw every Deposition, and put them to a very bad Use. I expected Mr. *Kirke* would have sent me the Copies of the Depositions; but you “forbad his doing it,” as is proved in my *Narrative*, p. 48.

If I had been of a complaining Disposition, I had frequent Opportunities to shew it: But I thought it beneath me, and rather chose myself to take Mr. *Hughes* to task for his Insolence. Mr. *Hughes*, at *Newfoundland*, assured every body, that you would give him the Command of the *Lark*, if I did not acquit myself. Pray how came he to know you were so well convinced of my Misconduct, that he granted my Request of going ashore as the Effect of his or your Compassion, to give me an Opportunity of escaping and saving my Life? Mr. *Hughes* made this Speech at Lieutenant-Governor *Bradstreet's* Table, before several Officers and Gentlemen. Captain *Hore*, late of the *Canterbury*, was one of the Company, and he had great Compunction in telling me what passed, which he did the next Morning, and declared he could not resist doing it, as it carried so cruel an Appearance. From whom could Mr. *Hughes* learn this Lesson, if you had never uttered such Words? But every Act of yours relative to me, were Declarations of the Part you took: And, in fact, Mr. *Hughes's* great Weakness betrayed the Resolutions that, it is plain, you had previously taken, and which it was your Interest should have been better concealed.

You say, p. 17. “That you received me in the most civil and friendly Manner on my arrival at *Louisburg*. Indeed there never had been any Occasion for your behaving in a different manner towards me, since we

had been Ship-mates together, on board the *Torbay*, with Sir *Charles Wager*, in 1727; nor had you ever had any Dispute or Disagreement with me, in your Life." Therefore your Partiality and Prejudice against me was the more surprizing and unaccountable. You know in what a favourable Light I had the Honour to be held, by Sir *Charles Wager*; and your Knowledge of me, who had never been joined in renting and exposing your Character, should have taught you at least, to treat me with common Justice, exclusive of other Considerations, of which you need not be reminded.

Give me leave to ask again, Was it your personal regard to me, that induced you to go on board the *Warwick*, many Days before the *Lark* arrived, and there thank the Officers and Men for their gallant Behaviour in the Action? Adding, that you had no Doubt that the *Lark's* Company would have behaved as well, and their Captain set them a good Example? The disputes and Animosities which you were informed would have happened, between the Crews of the *Lark* and *Warwick*, should have made you cautious in forming your Opinion upon the Engagement. The Amour between the Crews of the two Ships was the best Certificate I could wish or want. The Officers and Crew of the *Lark* were to a Man, very new acquaintance of mine; and whoever knows military Service, knows that neither Seamen nor Soldiers will bear Insolence to, and Reflections upon, the most superior Commanders, whom they even suspect to be guilty of dastardly Behaviour. The Animosity of the *Lark's* People towards the *Warwick's*, was a Proof of their being satisfied with my Conduct; and I had the strongest Evidence of it from the whole Ship's Company, even after my Sentence.

You say, [p. 19.] “ Indeed Mr. *Knowles* never
 “ heard till lately, that Captain *Crookshanks* found
 “ Fault with his Treatment of any Sort before the
 “ Trial; and then only on Account of his refusing
 “ to grant a Court-Martial against Captain *Erskine*,
 “ against whom he then *recriminated*. But it was
 “ Mr. *Knowles*’s firm Opinion at that Time, and
 “ is his Opinion now, that it would have been both
 “ cruel and unjust to have tried Captain *Erskine* on any
 “ such *Accusation*; and in this Opinion he is sure he
 “ shall ever remain.”

I innocently made Use of the Word *Recrimination*
 to you, and you made a bad Use of it to the Secretary
 of the Admiralty, as in your *Appendix*, p. 34. Mr.
Secretary Corbet laid hold of the Word; all which was
 to my Disadvantage, as I was forced into Measures
 that might carry the Appearance of *Recrimination*
 without intending it in the least. I was the senior Officer
 and had a Right to exhibit my Complaint against Mr.
Erskine, in Preference to his against me, as he was
 under my Command. These Complaints were made
 to you about the same Time, yet you shewed no Re-
 gard to what I wrote or said, but told me you found
 yourself under a Necessity of suspending and trying
 on Captain *Erskine*’s Complaint, whose Conduct you
 were determined to overlook upon very odd Doctrines
 which I may justly retort, was both cruel and unjust.
 Mr. *Matthews* and Mr. *Lestock* were both tried on the
 Complaint of each other. You, Sir, yourself, wrote
 some very memorable Letters, arraigning the Conduct
 of your Captains in an Action which happened on the
 first of *October*, 1748, near the *Havanna*, and you
 ought surely to have tried them, if what you insinuated
 had been true. They knew the Falsity and Wicked-
 ness of those Insinuations, and the dreadful Consequences
 quent

quences to their Characters, if they remained quiet ; therefore they applied to the Admiralty, who ordered that you should be tried, for “ that (among other Articles)” you had endeavoured to deceive his Majesty, that Board, and the Public, by having transmitted a *false and injurious* Account of the said Action to their Secretary, by a Letter of the 2d of *October*, 1748.

Sir, Captains *Charles Holmes*, *Charles Powlett*, *Edmund Toll*, and *Thomas Innes*, were by the Opinion of the Attorney and Solicitor-General, the King’s Advocate, the Advocate and Council of the Admiralty, laid before the Court-Martial by the Judge-Advocate, admitted Accusers, Managers, and competent Witnesses. After the explanatory Articles of their Charge against you were read, they amongst other Things say ; “ We beg Leave to observe to the Court, that we have “ had no Views of screening ourselves by accusing “ Rear-Admiral *Knowles*, for we have desired Courts- “ Martial on ourselves, as soon as his Trial is over ; “ and as all Persons ought, who regard their “ Honour, we are extreamly glad to have an Oppor- “ tunity to vindicate our Characters before such com- “ petent Judges, as this Court is composed of.” These four Captains supported their Charge against you in such Manner, that you were adjudged to fall under the thirty-third Article of War, and also under Part of the fourteenth Article, namely the Word NEGLIGENCE, a most comprehensive Word, that cost a late unhappy Admiral his Life,—and *you*, Sir, were RE-PRIMANDED ONLY.

Here it is sufficient to observe, that Sir *William Rowley*, Sir *Edward Hawke*, and Admiral *Forbes*, were three of your Judges, and also of the Court-Martial, that separately tried the four Captains who were all acquitted ; and one of them, *viz.* Captain *Holmes*,

Holmes, now an Admiral, with particular Marks of Honour and Distinction. And now, Sir, let me ask of you, was Mr. *Lestock*, in the Case of Mr. *Matthews*, told he was of a *recriminating Temper*? Were those Captains in your Case told so by the Admiralty? No: Can it then be lawful and reasonable, as in the above Instances, for Juniors to obtain Trial of their Seniors; and yet be thought *cruel and unjust* to grant *me*, who was the Senior Officer, Trial of my Junior? You did not think it *cruel or unjust* to try Captain *Erskine*, on another Occasion, for a trifling Disobedience at *Jamaica*, in allowing a few Pounds of Beef to be issued, more than your Order specified; you brought him to a Court-Martial in *England*, many Months after the Transaction; you appeared yourself, and carried on your Prosecution with Vehemence: He was suspended for twelve Months, and also suffered a pecuniary Punishment; I shall never undertake to justify the least Breach or Neglect of Orders; but I am certain you would have done yourself Honour in this Instance, if you had been contented with giving him a private Reprimand.

But does Mr. *Knowles* claim the Prerogative of deciding the Controversy between me and Captain *Erskine*; and of proving that Black is White, and White is Black, as may best serve his own invidious Purposes? It is more than probable, that my repeated Applications to the Lords of the Admiralty would have met with very different Success from what they have hitherto had, if Mr. *Knowles's* ill-grounded, false Opinion, had not, unhappily for me, prevailed but too much at that Board, where he was then in Credit enough to have his partial Representations of Men and Things listened unto.

If Captain *Crookshanks*, say you, [p. 19.] “ had
“ thought Admiral *Knowles* his Enemy and Oppressor,

“ is

"is it to be believed, that after the Court-Martial, he would come to the Admiral to ask his Opinion of the Sentence? This Captain *Crookshanks* did, as he well knows."

Sir, I really all along thought you my Enemy and Oppressor; and that you had been openly and avowedly such, without Reason or Excuse. My Attendance on you was not to ask your Opinion of the Sentence, but to complain both of *that* and of the Proceedings at my Trial, and at the same Time to ask your Permission, that I might go a Volunteer on the Expedition to *Port Louis*, and *St. Jago de Cuba*; and this *you do* know to be the Truth. My Wish and Meaning was to seek the first Opportunity of signalizing myself, and wiping off any Prejudice that the Public, I say the Public *only*, might have received of my Want of personal Resolution; which was an Imputation which you and your Minions had endeavoured to throw and affix upon me, by mean Contrivances, and dishonourable Arts; but my Character in this Particular was above all your Malice; it was not, is not, and I am confident it never will be suspected, by many Persons of Honour and Credit who know me well. Sir, you need not suspect my Want of personal Resolution; if you had suspected it, why did you not accept my Offer to go Volunteer? It would have obviated every Pretension of mine, to call you, as I do, my Enemy and Oppressor: But the same Want of Principles and Disposition for strict and impartial Justice, that plunged you into deviating from the unerring Rules of Equity at first, influenced you to the very last. The only Opinion I then asked of you was, if you thought I should be able to obtain any Relief from the Sentence that had been pronounced against me? Your Answer was, "You wished Captain *Mitchell's* Task was as easy." If you had permitted

ted me to go Volunteer, I should have endeavoured to have made mine an easy Task, by acquitting myself. I hope, in such a Manner as should have reflected Honour even upon you yourself.

I never pretended that you gave weak and ridiculous Answers, to my Letters and Messages ; I complained you gave no Answers at all ; if you had, you must have granted my Point : But you have not answered them now ; therefore they stand up in Judgment, and continue in full Force against you.

You say, [p. 20.] “ The Charge against the Admiralty by Captain *Crookshanks* does not lie with Mr. *Knowles* to answer ; yet he cannot close this Defence of himself without observing, that by References an impartial Judgment may be formed on their Lordship’s Equity, in their Answer to the Complaint.” My Charge is not against the Admiralty, but, Sir, against you, for deceiving, so far as your Influence extended, that Board and the Public.

As to what you advance in p. 35, I answer, that the Lords of the Admiralty could only compare such Resolutions, as you thought proper to transmit, with the Sentence they had seen ; and the President of the Court-Martial has put it beyond all Doubt, that the Resolutions sent to the Admiralty were very different from those that the Court came to, and which the impartial World must look upon, as neither more nor less than the *Falsification of a Record* ; yet you affirm in p. 17 that “ in the Proceedings at Court-Martials the Resolutions are always wrote down previously to the Sentence ; and then the whole is signed by the President, and each respective Member, according to Seniority, so that they cannot afterwards be altered without Erasure, and a manifest Detection of the Fraud. If those Things were not done in Captain *Crookshanks*’s Court-Martial, it may be naturally

“ natural enough to ask whose Fault it was : But
 “ the Reader cannot hesitate in answering, Not Ad-
 “ miral *Knowles*’s. He is ready to give all the Proofs
 “ the Fact admits of.” Sir, you know better, I will
 not impute such Weakness as this to your want of
 Understanding ; but let me advise you for the future to
 behave with a little more Candour than in this Instance
 you manifestly do. The Resolutions that the Court-
 Martial came too at my Trial, were, as you yourself
 know, scandalously altered, and are very different from
 those you transmitted to the Board of Admiralty. The
 President has acknowledged it ; and Mr. *Dent*, who
 has never yet forfeited his Credit, the World will
 surely believe. Where, Sir, are the original Resolu-
 tions ? You should have them ; produce them, and the
 Fraud is detected. Your officious Opinion would have
 murdered my Reputation, and all for what ? “ No
 Enmity” you say ; but I say, in order to cover the
 Absurdities and Iniquity you had been guilty of.

You say, [p. 21.] “ There have been five different
 Boards of Admiralty during the Time I have
 applied for Redress.” Granted. What then ? This
 makes no Variation in my Complaint to that Board,
 or my Charge against Captain *Erskine* and you are not
 the less, but still the same ; disprove that Charge if
 you can. If you cannot, I must still hope for Justice,
 and am determined to continue to exert the Privi-
 leges of an injured *British* Subject, tho’ I am still un-
 redressed, notwithstanding his Majesty’s most gracious
 Reference, to that Board, of my humble Petition, to
 him, so long ago as in 1749. Do you think that a
 just Cause is either lost, or given up, because it has not
 been vigorously prosecuted ? I have already given Rea-
 sons, which, whatever you may think, the World I
 hope will think satisfactory ones, why this Cause was
 not prosecuted earlier and with Vigour, and therefore

think it unnecessary to add any Thing further upon this Head,—but *this* I must add, that I have Reason to believe some Lords of the Admiralty have considered and been sensible of the Hardship of my Case, and the inadvertent Severity of my Sentence. You say that Justice has been done me; this I flatly deny, and hope that the equitable Part of Mankind will be of the same Opinion. But, Sir, depend upon it, I will persevere till Justice is done *you*, and till the World is further convinced of what I have suffered from your unmerited Partiality.

P O S T S C R I P T.

Admiral *Knowles* having, since the publishing of his pretended Refutation of Mr. *Crookshanks's* Charge against him, tacked to it a Letter of his to the Admiral, dated the 7th of *September*, 1747, which he says he lately found among his Papers, and which, with the Assistance of the dextrous Art of Transformation, he fancies, will of itself be sufficient to vindicate him from the Charge of “having been busy or forward in foretelling Opinions;” Mr. *Crookshanks* thinks it incumbent upon him to acknowledge this *only* Obligation that Mr. *Knowles* ever conferred upon him, it being a fresh Specimen of either his Penetration or his Candour, and he is at Liberty to chuse which of these two Qualities he will please to give up to the other. The frank and open Manner in which Captain *Crookshanks* expressed himself in that Letter, must needs convince every sensible and impartial Reader, that he relied so entirely on the Justice of his Cause, that he scorned having Recourse to any little Arts or Subter-

ges to gloss over any Part of his Conduct, but on
 the contrary declared it to be "his fix'd Resolution to
 say nothing but what he could clearly and distinctly
 make out, and what he would abide by on the most
 solemn Occasion." But after the striking and au-
 thenticated Proofs that Mr. *Crookshanks* has brought
 of Admiral *Knowles's* early Plan of Partiality and Op-
 pression; and which Captain *Crookshanks* had a melan-
 choly, and but too full a Conviction of, antecedent
 to his writing this Letter, that Mr. *Knowles* hugs him-
 self so much with the Discovery of lately, Can any
 reasonable and unbiassed Man; can even Admiral
Knowles himself believe, that Captain *Crookshanks* was
 serious when he tells him in that Letter, that he was
 convinced he (Admiral *Knowles*) "would search out
 the Truth?"—No, so far from it, he was well
 convinced of the contrary, and easily guessing at
 what he would further do from what he had al-
 ready done, he expected every Thing that Ar-
 tifice and Malice could suggest to the Iron-hand of
 Power to execute; he therefore wrote him that Letter
 upon very mature Deliberation, but did it, as is easily
 perceivable, in so very ironical a Way, that he made
 no Doubt but the Admiral would discover the Drift and
 Tendency of it, tho' this Conjecture of his, it now
 appears, was paying a Compliment to Mr. *Knowles's*
 Discernment, which Mr. *Knowles's* Humility makes
 him disclaim all Title to:—but supposing (which is
 however absolutely denied) that Captain *Crookshanks*
 had been serious in what he then wrote, and which Mr.
Knowles's Self-Complacency might very easily lead him
 into a Belief of, should not that very Belief have brought
 on a little Self-recollection, and have induced him, by a
 Review of his past Conduct towards Captain *Crook-*
shanks (whom in the Conclusion of his elaborate Per-
 formance he PRESUMES to "pity as an unhappy Man,
 " who

“ who has brought on his Ruin by his own Misconduct ;”) should not this Belief, I say, have induced him to repair, as far as in him lay, the Injury he had already done him, by subsequently behaving like an impartial Commanding Officer, instead of acting like an open and an avowed *Party*, as he had till then done?—But such Conduct as this, tho’ generous, honest, and humane, would have been acting inconsistently, and indeed, in *some Things*, it must be acknowledged, that Gentleman is perfectly consistent with himself.—Upon the Whole, Admiral Knowles either *did* believe that Letter to be serious, or he *did not* ; if he *did* believe it, common Humanity and Candor should have made him discontinue a Conduct that was a public Reproach to him, and which *could not* but stand self-reproached with ; and if he *did not* believe it, it should in common Prudence have been a Caution to him how he proceeded in the further Prosecution of an Affair, upon the Decision of which depended, what to a Man of Honour (and I hope I may be allowed to add, an experienced Officer) is infinitely dearer than either Fortune or Life.



E I N 1 S